

Alternative Custody Program

800.1 PURPOSE

The purpose of this policy is to provide written criteria and guidelines for the management and operation of Shasta County inmate alternative custody programs.

All qualified mobility-disabled inmates will be provided access to the Alternative Custody Program. All qualified mobility-disabled inmates will be informed that they will be provided access to the Alternative Custody Program. Reasonable accommodations will be provided to ensure such access as necessary at specific work sites.

800.2 POLICY

It will be the policy of the Shasta County Sheriff's Custody Division to operate, maintain and supervise inmate alternative custody programs according to established rules, regulations and criteria, within the parameters of existing law. The programs established should be administered with the following objectives in mind.

- Provide for public safety
- Help keep families intact
- Reduce correctional care costs
- Assist in the collection of restitution
- Preserve careers and jobs of prisoners
- Help a successful re-entry to the community
- Provide a more realistic rehabilitation program
- Provide alternative sentencing program for inmates by participating in voluntary home detention.

800.3 ALTERNATIVE CUSTODY PROGRAMS

The sheriff's Alternative Custody Programs are designed to allow qualified sentenced inmates to serve their time outside the physical confines of the Shasta County Jail. These programs allow inmates to work at assigned job sites throughout the county, participate in an electronic monitoring, or report to a Day Report Center. More programs will be added as they become available. The programs are regulated by 1203.016, 1203.017, 1203.018 and 4024.2 of the California Penal code.

Mobility-disabled inmates will be provided reasonable accommodations as necessary to ensure access to jail programs, services and activities in a manner consistent with their custody designation.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

800.4 COURT RECOMMENDATION FOR PARTICIPATION IN ALTERNATIVE CUSTODY PROGRAMS

The Courts may recommend or refer a person to an Alternative Custody Program at time of sentencing. The recommendation or referral of courts will be given great weight in the determination of acceptance for placement in the Sheriff's Alternative Custody Program; however, program personnel will review all criteria and will make the decision of those allowed to participate in the program.

Those who are denied participation or all persons removed from program participation shall be notified in writing of the specific reason(s) for denial or removal {1203.016(2) PC}.

800.5 DAY REPORT/ DAY REPORT CENTER

The Day Report Program allows for the effective management of the Shasta County Jail's inmate population as well as providing an option to those inmates who have limiting factors due to illness, injury, charges, and may apply to those inmates currently employed in the civilian sector. Inmates are carefully screened for appropriateness of placement by program personnel.

800.5.1 PROCEDURE

Inmates will be required to check in utilizing a valid identification such as a state issued Driver License or Identification Card.

Program personnel will assign inmates a location for reporting. Additionally, the personnel will set up a schedule of days and times the inmate will report.

When the inmate reports during the schedule, program personnel shall verify the inmate's identification. The inmate will receive credit for the day. Program personnel will give the inmate any further direction if required. The inmate may be excused from the premises if nothing further is required.

800.6 WORK RELEASE PROGRAM

800.6.1 GENERAL

The Work Release Program allows for the effective management of the Shasta County Jail's inmate population. Inmates are carefully screened for appropriateness of placement by custodial staff. The inmates will be assigned job duties, days to report, and job sites. Inmates will be supervised by Sworn Correctional Officers or other Community Agency personnel while on their assigned job site.

800.6.2 STAFFING

The Work Release Program will be managed by the Shasta County Sheriff's Custody Division. A Correctional Officer and a Public Safety Service Officer will be assigned for the daily operation of the program. A Correctional Sergeant will be assigned to provide supervision to the correctional personnel assigned to the program. The Jail Lieutenant will be assigned as the Facility Manager and is responsible for overseeing the day to day operation of the Work Release Program.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

800.6.3 PROCEDURES FOR WORK RELEASE

Under the direction of the Sheriff, or designee, work release personnel will assume responsibility for the practical operation of the Work Release Program. These responsibilities shall include, but not be limited to the following:

- Tracking court orders.
- Processing applicants.
- The selection and scheduling of work-site assignments, ensuring that all logistical requirements are met.
- Contacting and maintaining liaison with public and private nonprofit organizations using the Work Release Program services.
- Recruiting new recipient-agencies.
- The keeping of accurate reports, proper documentation of all casework, incidents and injuries.

The work release personnel will coordinate with a representative of the beneficiary organization to determine required labor needs. The beneficiary organization will assign a liaison person who will represent its interests and provide tools, direction, expertise, and evaluation relative to the work performed. It will be the responsibility of this person to notify work release personnel of any injuries to inmates.

800.7 IN-CUSTODY INMATE ELIGIBILITY AND SCREENING

The jail classification officer and work release personnel have the responsibility and authority to screen and select inmates for work assignments in the Work Release Program. The selection of inmates will be objective, non-discriminatory, and include but not be limited to consideration of the following:

- Behavior
- Escape history
- Medical conditions
- Inmate and facility needs
- Sentenced without warrants
- Criminal history and sophistication
- Adaptability to facility and disciplinary control

An inmate being considered for the Work Release Program will be interviewed by work release personnel or the jail classification officer. The Work Release Program rules will be a part of the interview process with the inmate. If the inmate is in the jail facility, they shall sign the rules of the program acknowledging they have read and understand them prior to departing the facility.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

800.7.1 WORK RELEASE PERSONNEL INTAKE PROCEDURES

The jail classification officer and work release personnel will review and verify information provided by the candidate on the front of the application form. Be sure to go over each part of the medical history section with the candidate. If the candidate indicates that they have had a previous application with the Work Release Program the staff should verify this information by checking the completed, return to custody, and denied files. If the candidate was accepted in the past check whether they successfully completed the program or violated. If they had violated document the reason on the present application.

- (a) Determine if the candidate is eligible for the Work Release Program. Determination should include but not be limited to the following criteria. He or she may not be acceptable for the program if the candidate:
 - Does not want to do the work program
 - Has been ordered to custody for more than 365 days (determined by work release personnel).
 - Is not available for work program five days per week
 - Does not have any means of transportation
 - Does not live in the area
 - Is sentenced for crimes of a sexual or violent nature or involves weapons (i.e. 273.5 PC or 417 PC) (determined by work release personnel).
- (b) If the inmate is accepted the staff will perform the following steps:
 - Determine the proper amount of fees (currently, ten dollars per day being served, plus a twenty-five dollar admin fee, and one dollar per day being served for insurance).
 - Candidate information will be entered into the jail management system. He / She will be finger printed and photographed during the booking process.
 - Classification or work release personnel shall fill out a promise to appear form. The form will include the site name and address, and time the candidate is to appear for registration of work assignment, the candidate's signature, and the signature of staff which interviewed the candidate.
 - When assigning a work site, consideration will be given as to the area where the candidate resides, candidate's means of transportation, candidate's regular work schedule, and availability of openings at the work sites in that area.

800.8 OFFENDER ATTENDANCE SCHEDULE

Generally, inmates will be scheduled to report to the Work Release Program, 5 days per week.

Inmates may be scheduled to report fewer days per week, with the approval of program personnel. Reporting days and off days are at the discretion of the program personnel.

Every inmate will be given a written schedule listing dates and times they must report to the Work Release Program. Inmates may not change their schedule without approval of the program

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

personnel. Inmates failing to follow their schedules are subject to disciplinary action, including but not limited to their return to the custody of the Shasta County Jail.

Inmates may report on unscheduled days with approval of either work release personnel or the site manager. This will allow inmates to acquire additional days for credit on their sentence.

800.9 TARDINESS AND ABSENCES

In an effort to instill accountability, all inmates are expected to follow their reporting schedules.

Inmates may be subject to disciplinary action for reporting late. As a guide Sheriff's personnel will consider the following when inmates are tardy:

- First offense - Verbal Warning (Documented in the jail management system)
- Second offense - Written Warning
- Third offense – Disciplinary Action
- Fourth offense - Reclassified to detention facility

Circumstances may require a greater level of discipline than is indicated by the guidelines. The Work Release Program Sergeant may impose any level of disciplinary action that is appropriate for the circumstances. The disciplinary process shall be the same as those held in the Shasta County Jail Facility.

Absences are classified as **Excused** or **Un-Excused**.

Excused absences are:

- Approved absence pre-authorized by Work Release personnel.
- Absences accompanied with or followed by a note from a physician.

Un-excused Absences are any absence which is not approved by Work Release personnel. Un-excused absences will be enforced by:

- Written Disciplinary Infraction Report.
- Possible reclassification to detention facility pending disciplinary action
- Disciplinary action may include but not be limited to loss of Good/Work Time Credit.

All days missed must be made up. The inmates release date will be adjusted to include any authorized time missed. All absences will be documented and included in the inmate's file. Excused absences are not subject to disciplinary action.

Sheriff's Deputies will locate inmates that have failed to report as scheduled, and return them to the Day Reporting Center. An Inmate Infraction report will be written and the disciplinary process started. A Day Reporting Center sergeant will review the Inmate Infraction report and determine if the inmate will remain assigned to the Day Reporting Center or reclassified to one of the detention facilities, pending disciplinary action.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

Reclassification to a detention facility is an administrative function and not necessarily a form of discipline. Inmates may be reclassified to a detention facility, without cause, at any time.

800.10 OFFENDER DRESS CODE AND PERSONAL EQUIPMENT

Inmates will report to the Work Release Program wearing suitable clothing and shoes for their work site. Inmates should be told to expect to get their clothing dirty. Inmates should bring rain gear during inclement weather. Work gloves and hats are recommended. The following clothing and footwear may be prohibited at the work site:

Any clothing that is similar in color or style to jail clothing issued to inmates at the jail facility is prohibited. Tank tops, halter tops or sleeveless shirts, shorts, cut-off pants, dresses, sandals, open toe shoes and high heels. Articles of clothing which imply membership or affiliation with any gang are also prohibited.

Inmates may be informed not to wear jewelry (except a wedding band or wristwatch) when reporting to the Work Release Program. Earrings, necklaces, bracelets, anklets, wallets chains, large belt buckles or jewelry used with body piercing may be prohibited and determined by work site.

Any safety equipment necessary to perform a specific task will be provided by work release personnel. Examples of this type of safety equipment would be heavy work gloves, eye protection, rubber boots, etc. Safety equipment will be issued only as needed to perform a specific task.

If an inmate is issued a safety vest, it shall be worn at all times.

Walkman type radios, iPods, pagers, or cell phones are not allowed at Work Release.

Tobacco consumption is prohibited on all sheriff's Office property.

800.11 TRANSPORTATION

Inmates assigned to the Work Release Program are responsible for finding their own transportation to and from the work release program or work site. Inmates may ride share with other inmates or have friends and family members provide transportation.

Inmates may use the Public Transportation System at the inmate's expense. Day and monthly passes are available through the transportation service. An inmate using this transportation system will not be penalized for a reasonable late arrival should the schedule not match the start times of the work program or site. Inmates may not wait or loiter around the Work Release Programs location after hours.

800.12 MEALS

Inmates are responsible for providing their own lunch while on the Work Release Program.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

800.13 MEDICATION

Inmates taking prescription medication must bring the medication with them, when reporting to the Work Release Program office or work site. The inmate may keep the medication in their possession and take as prescribed. The medication must be packaged in its' original package/ bottle. The instructions must be clearly written and the medication/prescriptions must not have expired. Inmates must advise work release personnel when they have prescribed medication with them.

During the screening process, inmates will report the names and dosage of any medication they bring with them. This information will be retained in the inmate's file.

800.14 WORK RELEASE PROGRAM RULES

While working, the program participants are Shasta County inmates and are subject to the rules as if being in the physical custody of the jail. In order to participate in an alternative custody program, inmates must adhere to the following rules. Failure to do so may result in termination from the program and return to the custody of the Shasta County Jail (Jail). Failure to comply with all program rules and/or laws could subject the inmate to disciplinary action in accordance with the Jail's disciplinary procedures and custody conduct credits could be lost.

- A. Inmates shall **obey all laws**, or be returned to the custody of the main jail. Criminal charges may be filed on all new law violations.
- B. Inmates shall maintain correct address, phone number, and other contact information with Probation and Jail/Work Release Personnel.
- C. Inmates must not be in the immediate presence of any person known to be, or who a peace officer has specifically identified as being on, felony probation, community supervision, mandatory supervision or parole, unless a peace officer has given permission to be in the immediate presence of that person.
- D. If directed to do so, inmates shall enroll in and participate in any treatment/counseling program.
- E. If directed to do so, inmates shall enroll in and participate in educational course work and/or vocational training.
- F. Inmates shall maintain, or seek and maintain, gainful employment when possible, and apply any earnings to the support of you, your family, or other legal obligations.
- G. The use or cultivation of marijuana is prohibited (even if you possess a Prop 215 card). If inmates are found in possession of or cultivating marijuana, they may be subject to program failure, arrest, new criminal charges, the confiscation and destruction of the marijuana, and/or serving their remaining sentence in the Jail.
- H. Inmates will not consume, possess, or have in your constructive possession any alcohol, marijuana (even if you possess a Prop 215 card), illegal drugs, narcotics, and/or paraphernalia.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

- I. Inmates reporting to work release while intoxicated, under the influence of drugs, or with any kind of weapon will be subject to disciplinary action and/or criminal charges and/or arrest.
- J. Do not possess or have access to any dangerous weapons including firearms and live ammunition in your vehicle for any reason at any time, as applicable by law.

The following additional rules apply to those inmates while working for Work Release:

- A. Inmates must be given two (2) 15-minute breaks and a 30-minute lunch during their 8-hour shift.
- B. Inmates must advise work release personnel when they have prescribed medication with them.
- C. All participants are subject to search and seizure while in custody. Persons found in possession of contraband shall be subject to disciplinary action and/or criminal charges. Contraband includes, but is not limited to, weapons, alcoholic beverages, non-prescription drugs, and items taken from the work site without permission.
- D. Inmates are not permitted to communicate with anyone at the job site other than the supervisor or other workers.
- E. Fraternization of any kind between male and female inmates or staff is not allowed.
- F. Insubordinate behavior towards the work crew supervisor, staff or failure to perform assigned work tasks will result in the inmate's removal from the program and possibly subject the inmate to finishing the time in physical custody of the jail.

800.15 INJURIES

Work release personnel will be trained in First Aid and C.P.R. Inmates injured while on the Work Release Program or having knowledge of another inmate who is injured, will report the injury to program personnel. Inmates injured on a work site or having knowledge of another inmate who is injured, will inform the work site manager of the injury. Any site manager that becomes aware of an inmate with an injury will report the injury to work release personnel immediately. All inmate and staff injuries at the Work Release Program will be investigated.

800.15.1 STAFF INJURIES

If an employee is injured, the sergeant will respond to the location of the injury. The sergeant will inquire as to the circumstances surrounding the injury. The sergeant and affected officer will complete the paperwork for the injury. Officer witnesses will write a detailed memo, which will be included with the injury paperwork. The injury paperwork will be submitted to the Custody Division Lieutenant as soon as duties permit the same day.

800.15.2 INMATE INJURIES

A Correctional Officer will respond to an injury claim by an inmate. An insurance claim form will be filled out documenting the injury and circumstances. The Sergeant or designee and the injured inmate will sign the form. A copy of the form will be provided to the inmate and a copy kept in the inmates file with the informational report. The inmate may seek medical attention through a

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

physician of his or her choice utilizing the claim form. The assigned officer will write a detailed incident report. The incident report will be submitted to the Sergeant as soon as duties permit the same day. If the inmate does not wish to seek medical attention at the time, it will be noted in the informational report for reference.

800.15.3 HOW AN INMATE SUBMITS A CLAIM FORM

If an inmate has been injured, he or she needs to file a claim for consideration of benefits. The following is a list of basic steps that must be followed in order to have the claim considered. Please keep in mind it is not a guarantee the claim will be paid. However, if all conditions are met, then the claim will be considered for payment.

There are three basic items that are required in order for a claim to be considered eligible for benefits. All claim forms received are initially enrolled. However, until all required information is received the claim will not be reviewed for payment.

- A Completed Claim Form

Please be sure to neatly and fully complete the claim form. A claim form is available through Work Release Personnel. The claim form must have a policyholder's authorized signature.

The policyholder representative is an employee or other administrator that acts on behalf of the policyholder to verify the claim. The policyholder is the Shasta County Sheriff's Work Release Program.

- Copies of Fully Itemized Bills

The injured individual will contact the providers of the medical service directly for an itemized billing. An itemized bill is usually in the HCFA-1500 or UB-92 format, which means the bill should have a date of service, procedural codes, and diagnosis code. If the bill does not have this information, the individual will need to call the service provider directly and request they mail it to the insurance carrier or contact the insurance carrier's office for assistance.

For specific policy information, please call to verify benefits. It is important to remember that policy wording or any verbal verification of benefits does not guarantee payment. Some policies may have specific medical equipment exclusions or treatment type limitation, i.e., physical therapy or ambulance. It is important to remember that any statement of policy information does not guarantee the payment of any medical expense. Benefit determination can only be made once the entire claim and supporting documentation has been received and reviewed by the claims examiner.

Every policy has both an effective date (which is the same as the injury date) as well as a benefit period, which is the period of time for which benefits are available for treatment of that injury.

Treatment received past the benefit period is not eligible for benefits.

The claims form is a signed and sworn legal document.

800.16 ELECTRONIC MONITORING

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

800.16.1 I. ELECTRONIC MONITORING (EM)

- A. The Electronic Monitoring (EM) Program is a program under which a person committed to the Shasta County Jail may participate in a voluntary home detention program in which one day of participation will be in lieu of one day of confinement.
 1. Criteria for the EM Program consists of; a level of supervision within the County higher than those inmates on other alternative to incarceration programs.
 2. Under the supervision of the Program Sergeant, program personnel will be responsible for the screening/interview selection process.
 3. Inmates on the EM Program who refuse to follow the rules and regulations will be removed from the EM Program and will be disciplined in accordance to Title 15 and Custody Division policy and procedures.
 4. While the participant shall remain within the interior of their place of residence during the hours designated more discretion is given to the participant during certain hours of a given day. Typically, participants in the EM program are confined to their place residence during the evening and night time hours. Schedules are based on the determination of program personnel
 5. As a condition of participating in the EM Program, a person shall give his or her consent in writing and shall agree to comply with the rules and regulation.

- B. Program Requirements: Inmates volunteering to participate in the EM Program will be responsible for completing and maintaining administrative requirements as follows:
 1. Sentence cannot exceed 365 days (excluding Good time and Work time)
 2. Must be a low level non violent offender.
 3. Not have been convicted of a serious felony charge as described in 1192.7{c} PC, of a violent felony described in 667.5 PC, or 273.5 PC (defendants convicted of 273.5 PC MAY be eligible on a case by case basis).
 4. Must be sentenced by the courts prior to applying for the EM Program.
 5. Admit any person or agent designated by the Sheriff into his/her residence at any time for purpose of verifying compliance with the rules and regulations of the EM Program.
 6. Must not have any pending criminal charges within the State of California
 7. Follow all local, state, and federal laws.

800.16.2 II. GENERAL ELIGIBILITY CRITERIA FOR ELECTRONIC MONITORING

- A. Generally, inmates must be:
 - Inmate must live in Shasta County
 - Sentenced to a county jail term of more than 60 days (excluding Good time and Work time)
 - Determination for participation on inmates having concurrent sentences from another jurisdiction will be made on a case by case basis

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

- Willing to accept all terms and conditions of the program

B. ELEGIBILITY CRITERIA

The following criteria will be considered before considering participation in the Alternative Custody Program:

- Type of employment.
- Prior record of arrests.
- The nature of the crime.
- The liability to the County in allowing participation of inmate.
- The prisoner's dependents, financial obligations, and medical needs.

Specific issues may include, but not be limited to:

- Has applicant been removed previously from any Alternative Custody Program within the past three- (3) years?
 - The determining factors will be reviewed as for the reason for removal.
 - History of serious drug or alcohol abuse.
 - History of failing to appear in court for proceedings.
 - Financial need must be evident (dependents, self employed business, large debts)
 - Must be willing to cooperate and follow set rules and regulations by the program personnel.
 - Under most circumstances, those with a sentence of 30 days or less will not be considered
 - Restraining order in effect - in order to protect victim or property
 - Prior custody behavior.
 - Is applicant a witness in a pending criminal case
 - History of violent offenses, consideration of liability in allowing applicant to participate in program.
 - Does applicant have charges pending in this or any County
 - Do any factors or history leave cause for caution of escape risk
 - Applicant must be a United States citizen, if a naturalized citizen; a naturalization certificate must accompany application. Any inaccuracies, misrepresentations, or falsifications discovered during review of application will result in denial or removal from the program.
- C. Automatic exclusions:
- Falsified / incomplete/inaccurate application
 - Pending criminal matters

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

- Violation of Formal Probation in any jurisdiction
 - Active parole status
 - Holds or warrants from any jurisdiction
 - History of violent crime
 - History of drug traffic/sales
 - Documented escape risk
 - Serious disciplinary problems in custody, supported by Due Process records
 - Court orders restricting participation
 - Prior violations of court orders, TRO's, etc....
 - Registered sex offender
 - Registered arson offender
 - Convicted of a violent crime against a person
 - Active restraining order
 - Any case factors that would cause reason to believe subject could be a liability for the County and public if allowed released to participate in program.
- D. Administrative/discretionary factors affecting approval/denial:
- Nature of the original charges
 - Circumstances surrounding arrest
 - Crimes against the person vs. property crime
 - Victim considerations
 - Custody conduct
 - Potential liability to county
 - Threat to the community, individual(s), Program
 - Perceived liabilities, risks on release
 - Nature of employment
 - History of serious drug or alcohol abuse
 - Prior Failures to Appear in any Judicial proceeding
 - Prior Failures to Pay Fines or any Judicial Orders
 - Prior failure to successfully complete a work release program, the circumstances of the prior record and the offense committed will be evaluated, not merely the actual Penal Code section for which the applicant was convicted.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

800.16.3 III. SUPERVISION

To ensure that participants comply with program requirements, program personnel will supervise active participants. The program personnel may conduct follow up checks at the actual residence, place of work, or program location.

800.17 HOME ELECTRONIC CONFINEMENT

800.17.1 I. HOME ELECTRONIC CONFINEMENT

- (a) The Home Electronic Monitoring (HEC) Program is a program under which a person committed to the Shasta County Jail may participate in a home detention program in which one day of participation will be in lieu of one day of confinement.
 - (a) Criteria for the HEC Program consist of the highest level of supervision within the alternative custody programs.
 - (b) Inmates not following the rules and regulations of other programs may be placed on HEC for the highest restrictions offered by the Alternative Custody Program.
 - (c) Program personnel may place an inmate on the HEC program without the inmate having participated in any other (ie. Work Release, Electronic Monitoring).
 - (d) Under the supervision of the Program Sergeant, program personnel will be responsible for the screening, interview, and selecting inmate for participation.
 - (e) Inmates on the HEC Program who refuse to follow the rules and regulations may be removed from the HEC Program and returned to the physical custody of the jail, may be disciplined in accordance to Title 15 and custody division policy, or both return to the jail and disciplined.
 - (f) The inmate shall remain within the interior of their place of residence. The inmate shall contact program personnel in the event they need to leave the residence for appointments, grocery shopping, etc. Program personnel may deny the inmate leaving their residence.
 - (g) As a condition of participating in the HEC Program, a person shall give his or her consent in writing and shall agree to comply with the program rules and regulations.
2. Program Requirements: Inmates participating in the HEC Program will be responsible for completing and maintaining administrative requirements as follows:
Sentence cannot exceed 365 days (excluding Good time and Work time)
 1. Must be a low level non violent offender.
 2. Not have been convicted of a serious felony charge as described in 1192.7(c) PC, of a violent felony described in 667.5 PC, or 273.5 PC (defendants convicted of 273.5 PC MAY be eligible on a case by case basis).
 3. Must be sentenced by the courts prior to applying for the HEC Program.
 4. Admit any person or agent designated by the Sheriff into his/her residence at any time for purpose of verifying compliance with the rules and regulations of the HEC Program.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

5. Must not have any pending criminal charges within the State of California
6. Follow all local, state, and federal laws.

800.17.2 GENERAL ELIGIBILITY FOR HOME ELECTRONIC CONFINEMENT

A. Generally, inmates must be:

- Inmate must live in Shasta County
- Sentenced to a county jail term of more than 60 days (excluding Good time and Work time)
- Determination for participation on inmates having concurrent sentences from another jurisdiction will be made on a case by case basis
- Willing to accept all terms and conditions of the program

B. ELIGIBILITY CRITERIA

The following criteria will be considered before considering participation in the HEC Program:

- Type of employment.
- Prior record of arrests.
- The nature of the crime.
- The liability to the County in allowing participation of inmate.
- The prisoner's dependents, financial obligations, and medical needs. Specific issues may include, but not be limited to:
- Has applicant been removed previously from any Alternative Custody Program within the past three- (3) years?
- The determining factors will be reviewed as for the reason for removal.
- History of serious drug or alcohol abuse.
- History of failing to appear in court for proceedings.
- Financial need must be evident (dependents, self employed business, large debts)
- Must be willing to cooperate and follow set rules and regulations by the program personnel.
- Under most circumstances, those with a sentence of 30 days or less will not be considered
- Restraining order in effect - in order to protect victim or property
- Prior custody behavior.
- Is applicant a witness in a pending criminal case
- History of violent offenses, consideration of liability in allowing applicant to participate in program.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

- Does applicant have charges pending in this or any County
- Do any factors or history leave cause for caution of escape risk, applicant must be a United States citizen, if a naturalized citizen; a naturalization certificate must accompany application. Any inaccuracies, misrepresentations, or falsifications discovered during review of application will result in denial or removal from the program.
- C. Automatic exclusions:
 - Falsified / incomplete/inaccurate application
 - Pending criminal matters
 - Violation of Formal Probation in any jurisdiction
 - Active parole status
 - Holds or warrants from any jurisdiction
 - History of violent crime
 - History of drug traffic/sales
 - Documented escape risk
 - Serious disciplinary problems in custody, supported by Due Process records
 - Court orders restricting participation
 - Prior violations of court orders, TRO's, etc....
 - Registered sex offender
 - Registered arson offender
 - Convicted of a violent crime against a person
 - Active restraining order
 - Any case factors that would cause reason to believe subject could be a liability for the County and public if allowed released to participate in program.
- A. Administrative/discretionary factors affecting approval/denial:
 - Nature of the original charges
 - Circumstances surrounding arrest
 - Crimes against the person vs. property crime
 - Victim considerations
 - Custody conduct
 - Potential liability to county
 - Threat to the community, individual(s), Program
 - Perceived liabilities, risks on release

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

- Nature of employment
- History of serious drug or alcohol abuse
- Prior Failures to Appear in any Judicial proceeding
- Prior Failures to Pay Fines or any Judicial Orders
- Prior failure to successfully complete a work release program, the circumstances of the prior record and the offense committed will be evaluated, not merely the actual Penal Code section for which the applicant was convicted.

800.17.3 III. SUPERVISION

To ensure that participants comply with program requirements, program personnel will supervise active participants. The program personnel may conduct follow up checks at the actual residence, place of work, or program location.

800.18 EMPLOYMENT PROGRAM

The Employment Program was developed to assist those offenders who have either full or part time employment. The offenders are required to provide paystubs showing they are formally compensated. The offenders attend employment as well as report to a Work Release Program worksite during the off time. This program is designed to cause the least amount of disruption or impact to the offender's employer.

Alternative Custody personnel will conduct a one on one interview with the offender. During the interview process the employer's name, address, supervisor's name and phone number will be obtained. The offender's work schedule will be required for program participation. This information will be utilized to determine what worksite, if any, the offender qualifies for during his or her off time. Graveyard and some swing shift schedules may not be conducive to the safety of a worksite or the offender. Prior to placement on the Employment Program, personnel will review and verify information provided by the offender.

If the offender indicates they have had previous attempts at an Alternative Custody Program, personnel should verify the candidate was accepted in the past check whether they successfully completed the program or violated. The guidelines for accepting an offender on this program are the same as any other program.

If the offender is approved for placement on the Employment Program, a second interview may be conducted. The offender will be required to provide a paystub on a pre-designated date depending on the pay periods of the employer. The offender may provide the paystub in person or the employer may provide it by fax or email.

The offender will be booked into the jail management system and placed into the program. Credit for the days will not be given until the paystub has been provided. In the event a paystub is not provided, Alternative Custody personnel will attempt to contact the offender to acquire them. As a last resort, personnel may contact the offender's employer. A Global Positioning Satellite (GPS) Monitor may or may not be used given existing circumstances.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

800.18.1 OFFENDER ATTENDANCE SCHEDULE

The offender's schedule for employment is left to the discretion of the employer. Generally, offenders will be scheduled to report to the Employment Program, 5 days per week. If the offender is scheduled to report fewer days per week, he or she will be scheduled to report to a worksite on the Work Release Program.

Whenever possible, the offender will be given a written schedule listing dates and times they must report to the Employment Program. Employers may change an offender's work schedule without approval of the program personnel. The offender is required to notify Alternative Custody personnel of the change in their work schedule. Inmates failing to follow their schedules or failing to notify personnel of a schedule change are subject to disciplinary action, including but not limited to their return to the custody of the Shasta County Jail.

Inmates may report on unscheduled days with approval of either Alternative Custody personnel or the worksite manager. This will allow inmates to acquire additional days for credit on their sentence.

800.18.2 TARDINESS AND ABSENCES

Tardiness and absences are handled at the discretion of the employer and their policies. Any days missed, will be documented as an absence in the jail management system.

800.18.3 OFFENDER DRESS CODE AND EQUIPMENT

Clothing and personal equipment are handled at the discretion of the employer and their policies.

Any equipment provided by the employer is approved for the offender to have unless prohibited by law. However, if Alternative Custody personnel conduct a compliance check on the offender, the offender shall notify personnel of any item on their person.

800.19 INMATE DISCIPLINE

If an inmate's conduct violates the rules and regulations of the any Alternative Custody Program, a correctional officer assigned to the program will investigate the actions. If the conduct warrants disciplinary action, the Correctional Officer will write the appropriate informational report and criminal report if warranted.

In the case of Work Release, violations of the rules and regulations discovered by Community Agency personnel will be reported to the Correctional Officer assigned to the program. The officer being notified will investigate and take any immediate action necessary to protect the safety of the public, personnel, other inmates and the suspect inmate. The officer will write an appropriate informational report and criminal report if warranted. Any report will provide information detailing the rule violation, statement(s) of all witnesses and any immediate action taken.

The reporting officer will immediately forward the informational report to the Work Release Sergeant. The sergeant shall review the information report for completeness and any immediate actions taken.

The Work Release Sergeant may serve as the disciplinary officer for all disciplinary actions that originate from the Work Release Program or designate a disciplinary officer if additional officers

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program

are available. When the sergeant is a percipient witness or personally involved in the incident, the Jail Lieutenant may appoint an uninvolved Jail Sergeant or Correctional Officer to act as the disciplinary officer.

The disciplinary officer shall conduct hearings on disciplinary reports where the inmate has requested a hearing and recommend sanctions where the inmate is found guilty of an infraction.

Disciplinary hearings are held in accordance with Departmental Policies and Title 15.

The disciplinary officer shall provide for assistance to the inmate where he/she is of the opinion that the inmate is illiterate or unable to speak or read the English language or complex issues involved.

Reclassification to a detention facility is an administrative function and not necessarily a form of discipline. Inmates may be reclassified to a detention facility, without cause, at any time.

800.20 ALTERNATIVE CUSTODY PROGRAM FAILURE / WARRANTS

Alternative Custody Personnel shall write warrants for all offenders failing to report to the Alternative Custody Program Center to serve a court ordered sentence. Warrants will also be issued for offenders who fail the program due to having unexcused absences or be in violation of any of the Alternative Custody Program Rules.

Issued warrants will list the original offense in addition to Penal Code Section 4024.2(c).

If an original offense / sentence is related to a violation of probation (PC 1203.2) or mandatory supervision (PC 3455), the warrant will only remain valid while the offender is on active probation for the specific case in which he/she was sentenced. If the original offense is a revocation of probation (PC 1203.3) the warrant will remain valid while the offender is on active probation for the specific case in which he/she was sentenced providing the offenders probation was "revoked and reinstated". If the offenders probation was terminated and resulted in a jail sentence, the warrant will remain valid regardless of the offenders probation status. Warrants written with all other original offenses will remain valid regardless of the offenders probation status until such time the warrant is served, recalled, or purged.

Alternative Custody Personnel will provide information related to probation status in the comment line of written warrants relating to probation. For example "Failed to Report, Owes 30 Days, Probation Expires 07/08/2021" or "Failed ACP, Owes 30 Days, Probation Terminated Warrant valid".

Alternative Custody personnel will add a "Probation" critical notice into Spillman for offenders on on Probation when drafting the warrant for failing the Alternative Custody Program. An expiration date for the critical notice shall be entered to expire on the date the offenders probation is set to expire on the case in which the warrant is issued.

Warrants will be reviewed Annually by the Alternative Custody Supervisor no later than 30 days after the beginning of each calendar year.

Shasta County Sheriff's Office

Shasta County SO Custody Manual

Alternative Custody Program
